

AMENDED IN SENATE JUNE 21, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 585

Introduced by Assembly Member Fong

February 16, 2011

~~An act to amend Section 5841 of the Revenue and Taxation Code, relating to taxation.~~ *An act to amend Section 3212.1 of the Labor Code, relating to workers' compensation.*

LEGISLATIVE COUNSEL'S DIGEST

AB 585, as amended, Fong. ~~Property taxation: manufactured homes: Department of Housing and Community Development: information to assessor.~~ *Workers' compensation: cancer presumption.*

Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of his or her employment. Existing law provides that in the case of active firefighting members of certain fire departments and in the case of certain peace officers, a compensable injury includes cancer that develops or manifests itself during the period when the firefighter or peace officer demonstrates that he or she was exposed, while in the service of the public agency, to a known carcinogen, as defined. Existing law establishes a presumption that the cancer in these cases is presumed to arise out of, and in the course of, employment, unless the presumption is controverted by evidence that the primary site of the cancer has been

established and that the carcinogen to which the member has demonstrated exposure is not reasonably linked to the disabling cancer.

This bill would extend this presumption to active firefighting members of a fire department serving a United States government installation who adhere to specified training standards.

~~The existing Manufactured Home Property Tax Law provides for the taxation of manufactured homes, as defined, as personal property pursuant to requirements, definitions, and procedures similar to those applicable to the taxation of property generally. Existing law requires the Department of Housing and Community Development to furnish to the county assessor of the county in which a manufactured home is sited a listing of all new registrations and titles to manufactured homes sited, or to be sited, in that county, as provided.~~

~~The bill would additionally require on or before March 1, 2012, the Department of Housing and Community Development to furnish to the county assessor with a complete list of all manufactured homes on record sited within the county, as provided. This bill would require all information furnished to the county assessor to be in a standard text or comma delimited format that can be imported into internal applications.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3212.1 of the Labor Code is amended to
- 2 read:
- 3 3212.1. (a) This section applies to all of the following:
- 4 (1) Active firefighting members, whether volunteers, partly
- 5 paid, or fully paid, of all of the following fire departments:
- 6 (A) A fire department of a city, county, city and county, district,
- 7 or other public or municipal corporation or political subdivision.
- 8 (B) A fire department of the University of California and the
- 9 California State University.
- 10 (C) The Department of Forestry and Fire Protection.
- 11 (D) A county forestry or firefighting department or unit.
- 12 (2) Active firefighting members of a fire department that serves
- 13 a United States Department of Defense installation and who are
- 14 certified by the Department of Defense as meeting its standards
- 15 for firefighters.

1 (3) *Active firefighting members of a fire department that serves*
2 *a United States government installation and who adhere to training*
3 *standards established in accordance with Article 4 (commencing*
4 *with Section 13155) of Chapter 1 of Part 2 of Division 12 of the*
5 *Health and Safety Code.*

6 ~~(3)~~

7 (4) Peace officers, as defined in Section 830.1, subdivision (a)
8 of Section 830.2, and subdivisions (a) and (b) of Section 830.37,
9 of the Penal Code, who are primarily engaged in active law
10 enforcement activities.

11 ~~(4)~~

12 (5) (A) Fire and rescue services coordinators who work for the
13 Office of Emergency Services.

14 (B) For purposes of this paragraph, “fire and rescue services
15 coordinator” means a coordinator with any of the following job
16 classifications: coordinator, senior coordinator, or chief
17 coordinator.

18 (b) The term “injury,” as used in this division, includes cancer,
19 including leukemia, that develops or manifests itself during a period
20 in which any member described in subdivision (a) is in the service
21 of the department or unit, if the member demonstrates that he or
22 she was exposed, while in the service of the department or unit,
23 to a known carcinogen as defined by the International Agency for
24 Research on Cancer, or as defined by the director.

25 (c) The compensation that is awarded for cancer shall include
26 full hospital, surgical, medical treatment, disability indemnity, and
27 death benefits, as provided by this division.

28 (d) The cancer so developing or manifesting itself in these cases
29 shall be presumed to arise out of and in the course of the
30 employment. This presumption is disputable and may be
31 controverted by evidence that the primary site of the cancer has
32 been established and that the carcinogen to which the member has
33 demonstrated exposure is not reasonably linked to the disabling
34 cancer. Unless so controverted, the appeals board is bound to find
35 in accordance with the presumption. This presumption shall be
36 extended to a member following termination of service for a period
37 of three calendar months for each full year of the requisite service,
38 but not to exceed 120 months in any circumstance, commencing
39 with the last date actually worked in the specified capacity.

(e) The amendments to this section enacted during the 1999 portion of the 1999–2000 Regular Session shall be applied to claims for benefits filed or pending on or after January 1, 1997, including, but not limited to, claims for benefits filed on or after that date that have previously been denied, or that are being appealed following denial.

(f) This section shall be known, and may be cited, as the William Dallas Jones Cancer Presumption Act of 2010.

~~SECTION 1. Section 5841 of the Revenue and Taxation Code is amended to read:~~

~~5841. (a) The Department of Housing and Community Development shall furnish to the county assessor of the county in which a manufactured home is sited, both of the following:~~

~~(1) On or before the last day of each calendar month, a listing of all new registrations and titles to manufactured homes sited, or to be sited, in that county.~~

~~(2) On or before March 1, 2012, a complete list of all manufactured homes sited within that county, including those manufactured homes not subject to property tax that pay an in-lieu fee to the Department of Housing and Community Development.~~

~~(b) The information required to be furnished to the county assessor pursuant to subdivision (a) shall be in a standard text or comma delimited format that can be imported into internal applications.~~